

REMARKS

Claims 6-10 were pending in this application. Claims 1-5 were previously withdrawn. Claim 11 has been added. Hence, claims 6-11 are now pending in this application.

Claim 6 was amended to clarify that it is the traveler himself (as opposed to a company or corporate third-party) who defines the traveler preferences, and that these traveler preferences are subsequently stored in a traveler profile. Similarly, claim 10 has been amended to clarify that it is the traveler himself who may modify the traveler preferences. Support for the amendments may be found throughout the specification in general and at least on page 12 line 21 to page 13, line 20.

Claim 9 was amended in order to reconcile that claim with amended claim 6.

Claim 11 was added in order to more fully claim the invention. Support for the new claim may be found throughout the specification in general and at least on page 13, lines 6-13.

No new matter was added.

Claim Rejections

Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahlstrom et al. (U.S. Patent No. 4,862,357) in view of Bunyan et al. (EP 1,076,307).

To the extent the rejections may be applied to the claims as amended, these rejections are respectfully traversed.

Arguments in Support of the Claims

Claim 6 has now been amended to clarify that it is the traveler himself (as opposed to a company or corporate third-party) who defines the traveler preferences that are subsequently stored in the traveler profile. That is, the traveler is the one who determines the importance of each travel criteria, according to some preference scale. For example, the traveler may indicate that he only marginally prefers a nonstop flight over a flight that makes one or more connections, or he may indicate that he passionately prefers it. Such an arrangement affords the traveler a degree of customization and flexibility with respect to travel itinerary searches that surpasses anything available prior to the present invention.

Nowhere does Ahlstrom et al. disclose or suggest allowing the traveler to determine his own travel preferences. On the contrary, Ahlstrom et al. discloses that the travel itineraries are

selected in accordance with a **predetermined** travel policy. See, e.g., col. 1, lines 27-31; col. 2, lines 36-38; col. 3, lines 16-18.

Likewise, nowhere does Bunyan et al. disclose or suggest allowing the traveler to determine the travel preferences. Bunyan et al. merely allows the customer to indicate a preference with respect to various holiday locations. See, e.g., paragraphs 14 and 15. As can be seen from Figures 4 and 5, these holiday locations are cities and countries that are available for the customer to visit. Such holiday locations are completely unrelated to the traveler preferences of the present invention, including preferences on fare, availability, service type, equipment type, and the like.

Moreover, as the Examiner openly concedes, nowhere does Ahlstrom et al. disclose a fixed optimal value. Office Action, page 4, lines 4-6. Nevertheless, the Examiner contends that it would have been obvious to a person of ordinary skill in the art at the time of the present invention to modify the method of Ahlstrom et al. to include the fixed optimal value because Bunyan et al. teaches it. The motivation for modifying, as urged by the Examiner, is to allow Ahlstrom et al. to: (1) provide an apple-to-apples comparison of disparate itineraries, and (2) limit the number of itineraries returned based on a minimum threshold value. Office Action, page 4, lines 11-18.

However, neither of the two motivations advanced by the Examiner would require or even encourage Ahlstrom et al. to include a fixed optimal value. To the extent a limit may be placed on the number of itineraries returned by Ahlstrom et al., Applicant respectfully submits that the result of such a limit would not at all be affected by fixing the optimal value. Likewise, to the extent an apple-to-apples comparison may be performed by Ahlstrom et al., Applicant respectfully submits that the result of such a comparison would not at all be affected by fixing the optimal value.

In fact, Applicant respectfully submits that one type of apple-to-apples (or dollar-to-dollar) comparison is already being performed satisfactorily via the open-ended system of Ahlstrom et al. The Ahlstrom et al. system begins by assigning to each itinerary an initial score that is equal to the **dollar value or fare** of the itinerary. See, e.g., col. 10, lines 28-31. Subsequent additions or subtractions from the initial score are also based on the dollar value so that the entire score is a reflection of the dollar value of the itinerary. See, e.g., col. 11, lines 12-16, 37-43, 53-57, and 64-68. As a result, an apple-to-apples (or dollar-to-dollar) comparison

can be easily made. Indeed, contrary to the Examiner's assertion, there is actually a **disincentive** to modify Ahlstrom et al. in the manner suggested because its fare-based approach allows the customer to quickly assess the monetary worth of any given itinerary.

Accordingly, for at least the reasons stated above, withdrawal of the rejection against claim 6 is respectfully requested.

As for dependent claims 7-11, although they recite independently allowable subject matter, these claims depend from claim 6 and are therefore allowable for at least the same reasons. Accordingly, withdrawal of the rejection against the dependent claims is respectfully requested.

CONCLUSION

The rejections raised by the Examiner have been addressed, and Applicant believes that the claims are now in condition for allowance, which action is respectfully requested. If any questions or issues remain and the resolution of which the Examiner feels will be advanced by a conference with the Applicant's attorney, the Examiner is invited to contact the attorney at the number noted below.

No fees are believed to be due, however the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 10-0447, reference 41235-00066USPT (DGN).

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